

Pat Lundvall, Esq. (NSBN 3761)  
Amanda M. Perach, Esq. (NSBN 12399)  
Laura Jacobsen, Esq. (NSBN 13699)  
McDONALD CARANO LLP  
2300 West Sahara Avenue, Suite 1200  
Las Vegas, Nevada 89102  
Telephone: (702) 873-4100  
Facsimile: (702) 873-9966  
[lundvall@mcdonaldcarano.com](mailto:lundvall@mcdonaldcarano.com)  
[aperach@mcdonaldcarano.com](mailto:aperach@mcdonaldcarano.com)  
[ljacobsen@mcdonaldcarano.com](mailto:ljacobsen@mcdonaldcarano.com)

*Attorneys for Defendant Alteryx, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

THOMAS FOSKARIS, and all similarly situated  
individuals

Plaintiff,

v.

ALTERYX INC.,

Defendants.

CASE NO. 2:17-CV-03088-APG-GWF

**STIPULATION TO RESCHEDULE  
HEARING ON MOTION TO STAY**

**(Second Request)**

Plaintiff Thomas Foskaris (“Plaintiff”) and Defendant Alteryx, Inc. (“Alteryx” and with Plaintiff, the “Parties”), by and through their undersigned counsel of record, hereby stipulate and agree as follows:

1. Pursuant to this Stipulation, the Parties seek to continue the hearing on Alteryx’s motion to stay discovery (ECF No. 21), currently scheduled to be heard on June 8, 2018 at 9:30 a.m., to **June 15, 2018 at 10:30 a.m.**

2. On December 19, 2017, Plaintiff filed his original complaint (the “Original Complaint”) in this action. ECF No. 1.

3. On April 19, 2018, Alteryx filed *Defendant Alteryx, Inc.’s Motion to Dismiss* (the “Motion to Dismiss”) seeking dismissal of the Original Complaint. ECF No. 15.

4. On April 19, 2018, Alteryx filed *Defendant Alteryx, Inc.’s Motion to Transfer*. ECF No. 16.

1           5.       On April 20, 2018, Alteryx filed *Defendant Alteryx, Inc.'s Rule 26(c) Motion to*  
2 *Stay Discovery on Order Shortening Time* (the "Motion to Stay"). ECF No. 21.

3           6.       On May 1, 2018, Plaintiff filed its *First Amended Complaint for Damages*  
4 *Pursuant to the Fair Credit Reporting Act, 15 U.S.C. § 1681, et seq. and for Damages and*  
5 *Equitable Relief Under Nevada State Law*. ECF No. 26.

6           7.       On May 2, 2018, the Court denied Alteryx's Motion to Dismiss as moot. ECF No.  
7 29.

8           8.       On May 10, 2018, the Court entered an order setting oral argument on Alteryx's  
9 Motion to Stay for May 16, 2018 at 2:30 p.m. ECF No. 32.

10          9.       On May 14, 2016, Alteryx filed its *Motion to Dismiss Plaintiff's Amended*  
11 *Complaint* (the "Motion to Dismiss Amended Complaint"). ECF No. 33.

12          10.      On May 15, 2018, the Parties filed their *Stipulation to Move Hearing Date*  
13 *Regarding May 16, 2018 Hearing on Motion to Stay (First Request)* (ECF No. 34) (the "First  
14 Stipulation") seeking a continuance of the hearing date to a date following briefing on the Motion  
15 to Dismiss Amended Complaint.

16          11.      The Court granted the First Stipulation on May 15, 2018, setting the hearing date  
17 for June 8, 2018 at 9:30 a.m. ECF Nos. 35-36.

18          12.      Lead counsel for Alteryx, who intends to argue the Motion to Stay, is unable to  
19 appear for the hearing on June 8, 2018 due to a personal conflict, which he cannot reschedule (i.e.  
20 his son's high school graduation).

21          13.      Thus, in order to allow lead counsel to attend the hearing, the Parties request that  
22 the Court's hearing on the Motion to Stay be re-set from June 8, 2018 at 9:30 a.m. to **June 15,**  
23 **2018 at 10:30 a.m.**

24          14.      There is good cause for the extension, which is being sought three days after  
25 learning of the hearing date. This is the second request for a continuance of the hearing date on  
26 the Motion to Stay. The first extension was to allow the Court sufficient time to review all briefing  
27 related to the Motion to Dismiss Amended Complaint.

15. For the foregoing reasons, the Parties request that this stipulation be granted and the hearing on the Motion to Stay be rescheduled to take place on **June 15, 2018 at 10:30 a.m.**

DATED: This 18th day of May, 2018.

KNEPPER & CLARK LLC

McDONALD CARANO LLP

By: /s/ Miles N. Clark  
Matthew I. Knepper, Esq. (NSBN 12796)  
Miles N. Clark, Esq. (NSBN13848)  
10040 West Cheyenne Ave., Suite 170-109  
Las Vegas, Nevada 89129  
[matthew.knepper@knepperclark.com](mailto:matthew.knepper@knepperclark.com)  
[miles.clark@knepperclark.com](mailto:miles.clark@knepperclark.com)

David H. Krieger, Esq. (NSBN 9086)  
HAINES & KRIEGER, LLC  
8985 South Eastern Ave., Suite 350  
Henderson, Nevada 89123  
[dkrieger@hainesandkrieger.com](mailto:dkrieger@hainesandkrieger.com)

Sean N. Payne (NSBN 13216)  
PAYNE LAW FIRM LLC  
9550 South Eastern Ave. Suite 253-A213  
Las Vegas, Nevada 89123  
[seanpayne@spaynelaw.com](mailto:seanpayne@spaynelaw.com)

*Attorneys for Plaintiff*

By: /s/ Amanda M. Perach  
Pat Lundvall (NSBN 3761)  
Amanda M. Perach (NSBN 12399)  
Laura Jacobsen, Esq. (NSBN 13699)  
2300 West Sahara Avenue, Suite 1200  
Las Vegas, Nevada 89102  
[lundvall@mcdonaldcarano.com](mailto:lundvall@mcdonaldcarano.com)  
[aperach@mcdonaldcarano.com](mailto:aperach@mcdonaldcarano.com)  
[ljacobsen@mcdonaldcarano.com](mailto:ljacobsen@mcdonaldcarano.com)

Elizabeth McKeen, Esq. (*pro hac vice*)  
Randall W. Edwards, Esq. (*pro hac vice*)  
Ashley Pavel, Esq. (*pro hac vice*)  
Eric Goldstein, Esq. (*pro hac vice*)  
O'MELVENY & MYERS LLP  
610 Newport Center Drive, 17th Floor  
Newport Beach, CA 92660

*Attorneys for Defendant Alteryx, Inc.*

**IT IS SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE

DATED: 5/22/2018